

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-11 were pending in this application. Claims 1 and 11 have been canceled without prejudice or disclaimer to the subject matter thereof, claim 12 has been added and claims 2-5 and 10 have been amended. Accordingly, claims 2-12 will be pending herein upon entry of this Amendment. For at least the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action mailed June 29, 2005, claims 1-5, 10, and 11 were rejected under 35 USC § 112, first paragraph as based upon a disclosure which is not enabling. This rejection was based essentially upon an argument directed toward claim 1, which has been canceled, thus rendering this rejection moot. Claims 1-5, 10, and 11 were further rejected under 35 USC § 103(a) as being unpatentable over Aggarwal in view of He and Ogle. As with the rejection under 35 USC § 112, first paragraph, this rejection is also rendered moot.

Applicant appreciates the allowance of claims 6-9 and based upon this allowance, believes that claims 2-5, 10 and 12 are also now in condition for allowance.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Respectfully submitted,

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Date: October 31, 2005

By:

A handwritten signature in black ink, appearing to read 'Michael D. Bednarek', is written over a horizontal line.

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